

282—11.4(17A,272) Complaint.

11.4(1) Who may initiate. The following entities may initiate a complaint:

- a. Licensed practitioners employed by a school district or their educational entity or their recognized local or state professional organization.
- b. Local boards of education.
- c. Parents or guardians of students involved in the alleged complaint.
- d. The executive director of the board of educational examiners if the following circumstances have been met:

(1) The executive director receives information that a practitioner:

- 1. Has been convicted of a felony criminal offense, or a misdemeanor criminal offense wherein the victim of the crime was 18 years of age or younger, and the executive director expressly determines within the complaint that the nature of the offense clearly and directly impacts the practitioner's fitness or ability to retain the specific license(s) or authorization(s) which the practitioner holds; or
- 2. Has been the subject of a founded report of child abuse placed upon the central registry maintained by the department of human services pursuant to Iowa Code section 232.71D and the executive director expressly determines within the complaint that the nature of the offense clearly and directly impacts the practitioner's fitness or ability to retain the specific license(s) or authorization(s) which the practitioner holds; or
- 3. Has not met a reporting requirement in Code of Iowa Section 272.15 or 279.43, or IAC 281-102.11(2) or IAC 282-11 or IAC 282-25; or
- 4. Has not falsified a license or authorization issued by the board; or
- 5. Has submitted false information on a license or authorization application filed with the board; and or
- 6. Does not hold the appropriate license for the assignment for which the practitioner is currently employed; or
- 7. Has assigned a practitioner to perform services for which the practitioner is not properly licensed; and

(2) The executive director verifies the information or the alleged misconduct through review of official records maintained by a court; ~~or~~ the department of human services registry of founded child abuse reports; ~~or~~ the practitioner licensing authority of another state; the department of education; or the local school districts, area education agency, authorities in charge of the nonpublic school; or the executive director is presented with the falsified license; and

(3) No other complaint has been filed.

e. The department of transportation if the licensee named in the complaint holds a behind-the wheel instructor's certification issued by the department and the complaint relates to an incident or incidents arising during the course of driver's education instruction.

f. An employee of the department of education who, while performing official duties, becomes aware of any alleged misconduct by an individual licensed under 272.2.